UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/PV.1424
9 August 1993

ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

VERBATIM RECORD OF THE 1424TH MEETING

Held at Headquarters, New York,
on Friday, 16 July 1993, at 10 a.m.

Chairman: Mr. LOHIA (Papua New Guinea)

- Special Committee decision of 15 August 1991 concerning Puerto Rico (continued)

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The meeting was called to order at 10.40 a.m.

SPECIAL COMMITTEE DECISION OF 15 AUGUST 1991 CONCERNING PUERTO RICO (continued)

At the invitation of the Chairman, Mr. Michael E. Deutsch (National Lawyers Guild) took a place at the Committee table.

The CHAIRMAN: I call on Mr. Deutsch.

Mr. DEUTSCH: I appear before the Committee on behalf of the National Lawyers Guild, a United States lawyers' organization composed of over 10,000 lawyers, legal workers and law students. Our organization was formed in 1936 as an alternative to the conservative and then segregationist American Bar Association, and as a way to organize progressive lawyers throughout the United States to provide legal services to working people and other oppressed people who fight for their rights and for a better day.

One of the areas of work to which we give great importance is international law and human rights. We have worked on behalf of those who struggle for the most fundamental of all human rights, the right of a people to self-determination and to be free and independent of foreign occupation and domination. As members well know, there is no more basic human right than the right of a people to control its own land and resources.

A critical area of our international work has been our support for the right of the people of Puerto Rico to exercise its right of self-determination. We have consistently worked with the people of Puerto Rico in its multi-level efforts of resistance to United States colonialism.

(Mr. Deutsch)

As part of our work we have appeared before this body on an almost annual basis since 1978, calling to its attention the denial of Puerto Rico's right to self-determination by the United States Government and the continuing repression of organizations and individuals who openly advocate independence for Puerto Rico. The work of this Committee and its resolutions calling upon the United States to cease its interference with Puerto Rico's right to self-determination has been of great importance in allowing the movement for independence to continue to organize and work against United States colonial domination.

Now we are told that this year the Committee will not be issuing a resolution on Puerto Rico and that some of its members believe that the Committee's work is over and that there are no more colonies in the world and no more repression against those who strive for self-determination. This denial that colonialism still exists was made by the United States representative at the preparatory meetings in Geneva to the World Conference on Human Rights when he stated that the idea that one nation crossed "blue waters" to occupy and colonize another is not an issue in our current world. Apparently the United States Government wants us to forget the present-day reality of Puerto Rico.

Is Puerto Rico no longer a United States colony? Are the United States military bases that occupy over 15 per cent of the richest arable land of Puerto Rico no longer there? Is there no longer a United States federal court in Puerto Rico imposing United States law on the people there? Has Puerto Rico been allowed to conduct its own foreign trade or have its own monetary system? Does it regulate its own environment, communications or immigration? Are Puerto Rican organizations and individuals who advocate independence no longer persecuted by the United States federal police, the FBI? Are

(Mr. Deutsch)

independentistas no longer imprisoned, spied upon, denied employment and otherwise harassed? Are the men and women who fought for a free and independent Puerto Rico no longer languishing in the dungeons of the United States?

The answer to all these questions, of course, is no. Puerto Rico continues to suffer the yoke of United States colonialism in all its forms and manifestations. The people of Puerto Rico have not been allowed to exercise its right to self-determination and this Committee and the United Nations as a whole have the obligatory mandate to continue to demand that the United States stop its illegal colonial domination of the people of Puerto Rico.

Now is not the time to abandon the people of Puerto Rico. Now is not the time to succumb to the United States-defined new world order, a world order that justifies terror bombing with the "collateral damage" of murdering innocent civilians and selectively chooses what human rights violations to oppose and which to ignore. Just last month at the World Conference on Human Rights, United States Secretary of State Christopher gave a speech full of high-sounding platitudes in support of universal human rights and never acknowledged the massive human rights violations the United States Government commits on a daily basis against its own people, the boat people of Haiti or the people of Cuba through its illegal economic blockade.

All representatives here and the countries they represent have a solemn duty to continue with their critically important work to expose and condemn United States colonial domination over Puerto Rico. They must denounce as a clear violation of international law the so-called referendum of November 1993 being orchestrated by the statehood party of Puerto Rico. They know full well that this blatant charade of the people of Puerto Rico choosing its status violates clearly defined principles of decolonization and international law.

(Mr. Deutsch)

How can the people of Puerto Rico exercise a free and meaningful choice of status when all the means of communication and financial resources are in the hands of the United States Government and its minions in the colonial parties and when one half of the Puerto Rican people, those who have been forced to migrate to the United States, are excluded from voting?

Instead of this colonial farce, you must call upon the United States Government to take immediate steps to transfer all power to the people of Puerto Rico, so that the people, in the form of a truly democratic constituent assembly free from all United States colonial interference and coercion, can choose the status it truly desires.

Members of the Committee have a moral obligation to continue their work not only until the status of Puerto Rico is freely and democratically resolved, but also until those brave and sacrificing patriots of the struggle for independence here are freed from the gulags of the United States. Just as many of representatives have patriots and freedom fighters from their own countries whom they revere as those who had the courage to cast the first stone against their oppressor or colonizer, so too does the people of Puerto Rico. The United States Government has sentenced these freedom-fighters to prison for life, sentences 19 times greater than those who had no political motivation for their acts. Many of the Puerto Rican patriot prisoners have been denied medical care, subjected to physical and psychological abuse and confined under repressive isolation conditions. Members' public condemnation of these sentences and conditions and their continuing call for the release of these prisoners is their absolute obligation as representatives sworn to uphold humanitarian international law and an important part of the overall international campaign for their freedom.

(Mr. Deutsch)

Now is the time for all representatives to look deeply within themselves and to ask themselves if Puerto Rico has been allowed to exercise the right to self-determination. If Puerto Rico is not free from United States colonialism, then they must continue their work with a renewed commitment and vigour to make the claim that there are no more colonies in the world not mere rhetorical justification for racist hypocritical policy but a true reality.

We can assure them, however, that whatever this Committee or for that matter the United Nations as a whole does the freedom-loving people of the world will continue to support the right of the people of Puerto Rico to self-determination and independence.

Mr. Deutsch withdrew.

At the invitation of the Chairman, Mr. Luis Nieves Falcón (Ofensiva '92) took a place at the Committee table.

The CHAIRMAN: I call on Mr. Nieves Falcón.

Mr. NIEVES FALCON (interpretation from Spanish): My name is Luis Nieves Falcón. I am Coordinator of Ofensiva '92, a human rights organization working towards the release of Puerto Rican political prisoners and prisoners of war illegally imprisoned in United States jails.

As representatives well know, the United Nations, in its Charter, the Universal Declaration of Human Rights, and international conventions on economic, social and cultural rights, as well as civil and political rights, has established that not only is the right of self-determination a fundamental human right but also that the attainment of that right is a prerequisite for the enjoyment of all other human rights. Therein lies the vital role of the United Nations in the struggle against colonialism. That is also why the United Nations has adopted resolutions declaring colonialism a crime against

(Mr. Nieves Falcón)

humanity and has launched an appeal that colonialism, as a system of racist and oppressive domination, must disappear from the face of the Earth by the year 2000. In fact, this Committee is organized to monitor the implementation of the resolution on the granting of independence to colonial countries and peoples, the objective of which is to achieve the implementation of the right to self-determination and independence of the colonial Territories.

Since 1972, this Committee has recognized the right of Puerto Rico to self-determination and independence, and since 1973 has asked the United States to take the necessary steps for Puerto Rico to exercise that right. The United States has persistently and brazenly neglected these demands. Worse still, the position of the administering Power has been that Puerto Rico has already exercised that right. Any cursory analysis of the relationship between Puerto Rico and the United States of America reveals prima facie that this assertion is false, since there is no single aspect of Puerto Rican life in which tight control is not exercised by the United States.

(Mr. Nieves Falcón)

A modern day proof of this political fallacy, which is aimed at covering up the colonial system of Puerto Rico, can be seen in the current hearings being held in the United States Congress on a resolution which specifically asks that body to authorize Puerto Rico's exercise of the fundamental right to self-determination.

The stubborn position of the United States in denying Puerto Rico the exercise of this fundamental right is in violation of the Charter and of international law. We consider it necessary that the Committee take a firmer stand in its demands of the United States so that Puerto Rico can exercise its right to self-determination and independence, since only moral strength can conquer the arrogance of power.

Together with its anti-colonial position, the United Nations, through the General Assembly, has clearly expressed its concern at the treatment given to anti-colonial combatants. It expressed this concern in its resolution 3103 (XXVIII) of 1973. Towards this end it has specifically prohibited colonial administrators from declaring criminal the actions of anti-colonial combatants that may be tried in their courts, and it has ordered that when captured anti-colonial combatants be considered prisoners of war, in accordance with the provisions of the Geneva Convention and additional protocols, since colonial conflicts are international in nature and not internal.

What has been the position of the United States in this respect? Once again it has obstinately disregarded the demands of the Committee that an end be put to the persecution and imprisonment of those who defend Puerto Rico's rights to self-determination and independence.

(Mr. Nieves Falcón)

The United States once again is violating the provisions of international law with respect to the rights of the anti-colonial Puerto Rican combatants. Not only are they considered criminals, but in addition to this the illegal sentence which is imposed on them in violation of international law is compounded by exile and by cruel and degrading treatment in violation of most of the minimum standards internationally recognized for the treatment of prisoners.

Finally, what we see in this relationship between a small country which is dominated and a large country which is the dominator is the continued violation of law. Faced with the total defencelessness of my country, Puerto Rico, in the face of the colonial administration of the United States, it is necessary today more than ever that we not lose hope in the only moral arbiter that can call for an immediate cessation of colonialism in Puerto Rico and the release of our political prisoners and prisoners of war. There is a need for a clear and forceful call on the part of the Committee in favour of Puerto Rico and the release of Puerto Rican prisoners. This is a call for justice and for freedom.

Mr. Nieves Falcón withdrew.

At the invitation of the Chairman, the Reverend Annie González (Northlake United Methodist Church) took a place at the Committee table.

The CHAIRMAN: I call on the Reverend Annie González.

The Reverend GONZALEZ: I am the Reverend Annie González from the Northlake United Methodist Church. I am a religious leader in my community and an ordained Elder of the United Methodist Church of the Northern Illinois Conference. I am also an activist in the Puerto Rican community, and I believe that I share a concern, along with the religious community, that the

(The Rev. González)

people of Puerto Rico should be allowed to exercise their right to self-determination which they have not been able to do. However, I also believe that this cannot be done without the rleease of the Puerto Ricans who are currently incarcerated in United States prisons because of their activities in favour of Puerto Rican self-determination and independence.

We, as a Christian people, are a people with a history. Every people and every culture has a history. Without knowing that history, a people cannot move into the future. All people need to know from where they have come to be able to plan for and move into their future.

When we look at the Holy Scriptures we discover the story of the birth of a nation. The Hebrew people experienced invasions, wars, slavery and oppression. They cried to God for their release. A leader named Moses rose up and went to the Pharaoh, who held the Hebrews as captives and slaves, and asked for the people's release. Moses spoke to the Pharaoh many times, and after a long and very difficult time, the Pharaoh let the Hebrew people go free. When they were released, they followed Moses into the desert, where they suffered, wandering for 40 years. But it was through that suffering and struggle that they became a nation, the nation of Israel, and reached the promised land.

The date 21 November of this year, 1993, will mark 40 years since the United Nations recognized the farcical "commonwealth" of Puerto Rico as a decolonizing status. On 25 July of this year, 1993, we will mark 95 years since the United States militarily seized Puerto Rico. The date 19 November of this year, 1993, will mark 500 years since Columbus invaded Puerto Rico.

The people of Puerto Rico are a people with a history. The dates that I have just mentioned are part of that history, which has been a history of

(The Rev. González)

invasions, wars and oppression. But all through this history the people of Puerto Rico have been struggling to build a nation. Leaders have risen up to work and struggle and give their lives so that the Puerto Rican nation might be born. The struggle continues today as there are Puerto Rican women and men who are incarcerated because they believe that Puerto Rico should be a nation which has self-determination over its own future.

As we sit here in these United States, we must realize that the history of Puerto Rico and its people is not unlike the history of the United States. This country began as a colony of England. The colonists felt oppressed and enslaved by the colonial laws that governed their lives and their very existence. They wanted self-determination over their land and over their future. Leaders rose up and began to speak out for independence and freedom. Eventually they waged war and won their indepencence and freedom and a new nation, the United States, was born. Those who committed acts of terrorism were considered to be heroes and to this day are still seen as heroes.

Today, the Puerto Ricans who are incarcerated have done nothing more than proclaim that their country, Puerto Rico, should have self-determination and be free to make its own determinations and decisions, just as the colonists in New England did years ago. However, the colonists of the New England land were seen as heroes; the Puerto Ricans are not seen as heroes but as criminals. They have been arrested, tried, and sentenced unjustly, and denied the basic human rights afforded to common prisoners.

(The Rev. González)

We in the religious community believe that this is an injustice and a sin. We believe that Puerto Rico should have self-determination over its own future. We believe that immediate steps should be taken towards a process of decolonization for Puerto Rico. We also understand that for this to happen all the Puerto Ricans who are in prison for their beliefs about Puerto Rico and its self-determination should be set free as a precondition for such a process.

We clearly see the struggle for self-determination for the Puerto Rican people as similar to that of the Hebrew people. The Puerto Rican people have been wandering in the desert of colonization for many more than 40 years. Now is the time for the people of Puerto Rico to be set free so they can move into the future and into the promised land: a land of self-determination and freedom for the prisoners of war and political prisoners.

Today we implore this Committee, just as Moses implored the Pharaoh, to adopt a resolution for the self-determination of Puerto Rico and the freeing of the Puerto Rican prisoners. It is within the Committee's power to remind the United States of its beginnings and of how it overthrew its colonial oppressor to attain its own self-determination and freedom. Let us not forget the history of the United States so that we can make plans for the future, a future without colonies, and for the release of the Puerto Rican prisoners of war and political prisoners.

The Rev. Gonzalez withdrew.

At the invitation of the Chairman, Ms. Evelyn Rodríguez (Comité de Familiares de Prisioneros Políticos y de Guerra Puertorriqueños) took a place at the Committee table.

The CHAIRMAN: I call on Ms. Rodríguez.

Ms. RODRIGUEZ (interpretation from Spanish): My name is Evelyn Rodríguez and I am here as representative of the Committee of Families of Puerto Rican Political Prisoners and Prisoners of War, based in Chicago, Illinois. I am the sister of prisoners of war Alicia and Ida Luz Rodríguez and sister-in-law of prisoner of war Oscar López Rivera. I demand that this Committee support and guarantee our right as a people: the right of self-determination and independence. We also demand something that is a precondition for any true process of decolonization meeting the criteria of the international community: unconditional and immediate amnesty for all Puerto Rican political prisoners and prisoners of war.

No nation can be decolonized unless the requirements of international law are met. Free associated State - commonwealth - is a misnomer for a country that is not a State, not free and not associated with another in conditions of equality. Nor can a people's struggle for freedom be criminalized; resisters cannot be jailed and then labelled criminals.

But that is the case of Puerto Rico, a nation that this year will mark 95 years of colonial status under the United States; the Puerto Rican political prisoners and prisoners of war will mark 13 years of suffering, torture, isolation, sensory deprivation and separation from their loved ones and their communities. Worst of all, their executioner, the United States, denies the existence of political prisoners in the United States and demands that other Governments free their political prisoners.

(Ms. Rodríguez)

These 18 human beings - Puerto Rican men and women who were captured, sentenced and tortured by the country that is occupying our nation - were not judged in an international court before a neutral tribunal. No, they were judged by the enemy: the country that today is denying the people of Puerto Rico and its imprisoned patriots their most basic human rights. That is why we are here to speak of our situation.

United States violations of the human rights of our compatriots are so numerous that we would need more than one day to enumerate them. I shall thus limit myself to a few examples drawn from the experiences of my sisters and my sister-in-law.

Ida Luz Rodríguez is in prison at Pleasanton, California, thousands of miles from her community, her son and her family. Visits are few, owing to the high cost of air transportation, lodging, land transportation and so forth. Family members visit about twice a year. I have not seen her in three years, and I miss her sorely.

Telephone calls are limited to 15 minutes and the cost is deducted from her miserable prison wages. The calls are monitored, and the prison can cut them off at any time. The telephone is inconveniently located in a place lacking in privacy. She is constantly monitored by the prison administration. Her correspondence is censored and sometimes rejected or confiscated.

Once, when we arrived at the prison after a 12-hour car journey the guards made us wait unnecessarily before letting us enter; they took their time processing us, which was very frustrating in view of the very brief duration of visits.

(Ms. Rodríguez)

Ida Luz's son Damián had to visit her under restrictive conditions and without privacy: he could not speak freely to his mother in private.

Her health is in danger owing to the presence of mercury near the prison.

Alicia Rodríguez is ir prison at Dwight, Illinois. All her movements are monitored. She cannot go from one end of the prison to the other without a police escort. She is considered a maximum-security prisoner despite the fact that she has never broken the prison rules and regulations. Her conduct has been exemplary.

She was jailed by the United States authorities when she was about to undergo a very dangerous operation. For many days we knew nothing of our comrade's whereabouts or condition. The police guarded the hospital where she had her operation as though it were a prison ward.

She was forbidden to keep a little Puerto Rican flag in her cell on the pretext that it was contraband. Her correspondence too is withheld, sometimes for weeks; it has been confiscated and rejected. She does not enjoy the privileges other prisoners are granted on holidays, for example the annual pass for Mother's Day.

Every time we visit her my three-year-old daughter is subjected to humiliating body searches. When our grandfather died in Puerto Rico, she was not even allowed to telephone the family on the island to express her condolences. She was denied permission to telephone our father when he underwent dangerous heart surgery.

Oscar López Rivera is imprisoned at Marion, Illinois. Visits are strictly monitored and are conducted via telephone, through a window and in the presence of a guard. He has never been able to hug his granddaughter,

(Ms. Rodríguez)

Karina, or his daugher or other family members. There is no physical contact or intimacy in this process.

For 22 and a half hours a day he is shut up in his six-by-nine-foot cell. He is permitted to make only two 10-minute telephone calls a month. He is denied the right to have items necessary for basic hygiene. He is denied adequate medical attention, despite his serious skin condition. His drinking-water is contaminated with lead. Amnesty International, Human Rights Watch, the John Howard Association and other organizations have denounced the terrible conditions of his imprisonment in this "high-tech hoosegow".

These violations of human rights are an attempt to break the revolutionary spirit of these comrades, but no matter what the United States Government tries to do against those patriots they continue to be an example for our people.

As the Committee can see, the Federal Government of the United States is imprisoning not only our Puerto Rican political prisoners and prisoners of war, but also their families. It is trying to threaten and terrorize their loved ones.

In this light, the Committee can decide whether it wants to be part of the problem or part of the solution. It can connive in these abuses, or it can help bring about liberation. The challenge is issued. The decision is in the Committee's hands. We demand independence for Puerto Rico and unconditional freedom for our jailed compatriots. Long live a free and socialist Puerto Rico!

Ms. Rodríguez withdrew.

At the invitation of the Chairman, Ms. Elsie Valdes (Organizaciones Puertorriqueñas Pro-Estadidad, Inc. and Estadistas ante la ONU) took a place at the Committee table.

The CHAIRMAN: I call on Ms. Valdes.

Ms. VALDES (interpretation from Spanish): It is an honour for me, as a member of pro-statehood organizations, to share with the Committee our position in connection with the search for a solution to the colonial problem and on the forthcoming holding of a plebiscite on the political status of Puerto Rico, to take place on 14 November 1993.

My name is Elsie Valdes. I am a resident of the town of Vega Baja and appear before the Committee as a petitioner for the tenth time. Yesterday, I offered background information on the position of pro-statehood Puerto Ricans for the record. Today, I am transmitting the position of our pro-statehood organizations that have spoken before the Committee over those years.

Our work as a pro-statehood organization began with a group of Puerto Ricans who felt they had the duty and responsibility to promote, publicize and defend statehood for Puerto Rico. To that purpose, we have attended innumerable forums, even though on occasion we have had to differ from other political leaders or from the process sometimes advocated by the Puerto Rican pro-statehood Party itself.

I am speaking on this occasion with mixed feelings but a single purpose and ideal. As a citizen of the United States of America, I feel that my country has the democratic and legal instruments to address and resolve the colonial problem of Puerto Rico without international assistance or pressure. As a Puerto Rican, I feel that my people indeed needs the encouragement of the international community in order to realize and accept that its current status

(Ms. Valdes)

is an anachronism of our times and that it is intolerable for us to remain as we are under the stigma of being the last Territory of a colonial nature left in America. As an American citizen of Puerto Rican origin, I wish to contribute to the process of decolonization which our Government has initiated in Puerto Rico.

In past years, I have seen how some delegations to this Committee have wanted to blame the Government and institutions of the United States of America for Puerto Rico's ongoing colonial status I believe that some of these accusations arise more from a feeling of anti-Americanism or from the self-interest of those who make them than from any real interest in or desire to help Puerto Rico.

The relationship between the United States and Puerto Rico began with a military act, a geopolitical arrangement at the end of the Spanish-American war. The same can be said of the relationship that emerged at that time between the United States and Cuba or between the United States and the Philippines. In the case of Cuba and the Philippines, the United States recognized their independence after that conflict. In the case of Puerto Rico, 19 years after the end of the military conflict, the United States extended American citizenship to it. From those acts early in the century it was crystal clear that the United States had no colonial interest in Cuba or the Philippines. In Puerto Rico, it extended citizenship to the then 1.5 million inhabitants of the island.

In those days, colonialism was tolerable and even seemed fashionable. Now, that is not the case. By offering us its citizenship, the United States committed itself to the future. It made us equal before its Constitution, laws and democratic institutions. It is under the protection of that Constitution, those laws and those democratic institutions that Puerto Ricans

(Ms. Valdes)

today, now that colonialism is no longer permissible, tolerable or fashionable, claim our right to be admitted as a State of the Union.

Since the act that made us American citizens, Puerto Rico has failed to resolve its political status problem, more because of its own inertia than of that of Washington, D.C. Had we reached agreement earlier in Puerto Rico in deciding on our future, Washington would have had to honour its commitment to respect us in our self-determination. In the case of Puerto Rico, Washington can be accused of have having let time go by, but it should be pointed out that we in Puerto Rico have not used that time to unite and define our status. There can be no warmer invitation from one people to another than the act of brotherhood that the United States made towards us in 1917 with its offer of citizenship. Since then, some Presidents, national leaders and national political parties have expressed their views in clear terms on our right to self-determination. Thus, if Puerto Rico requests independence, it will be granted. If Puerto Rico requests statehood, that will be granted.

The only area in which we have seen Washington express doubts and hesitation is in the legislation of reforms to the current status of self-government that would lead to the enshrinement or perpetuation of the colony. This attitude clearly establishes the fact that Washington is prepared to take action in one direction or another towards decolonization: separation or annexation. What it is not prepared to do is give new life to a status that is unacceptable to the democratic tradition of the nation, just as it is unacceptable to the international community represented here.

I therefore see no great difference between what the Committee claims to want for Puerto Rico, what Washington wants for Puerto Rico and what our Government intends to do in holding a plebiscite on political status this

(Ms. Valdes)

year. That plebiscite will allow us to express our views so that Washington and the whole world will know the majority will of our people.

That plebiscite is the democratic instrument held by my people at this time to define itself, to decide on its future, and to call for its space and place as a state of the United States or as an independent republic. If the Committee wishes to bear witness to the democratic process that we will conduct on 14 November and to do so under the pretext that it is needed to safeguard our right to self-expression, as a citizen I can tell the Committee that it is not needed but that it is welcome to observe that process.

(Ms. Valdes)

If the Committee wishes somehow to help us in the decolonization process of Puerto Rico that we have already begun, it should not address its words to Washington alone - it should address them with a view to guiding the Puerto Ricans. On the island we still have leaders who advocate the status quo and who are prepared to sacrifice their own dignity and pride and those of the people. These elements of moral and political decline are those who need the Committee's help, guidance and inspiration if we are to enter the new century ahead without Puerto Rico being a blight on the history of modern civilization. For that reason, we indeed invite members to Puerto Rico and for that reason we will receive them with open arms. Their guidance will be welcome. We hope that the Great Architect of the universe will help us to achieve this.

I also wish to point out that what happened yesterday is regrettable because it limited the possibility of those who have come from the island to gain access to delegations here. Nevertheless, we do understand the situation.

Ms. Valdes withdrew.

At the invitation of the Chairman, Ms. Leonilda Calderón (Union for Puerto Rican Students) took a place at the Committee table.

The CHAIRMAN: I call on Ms. Calderón.

Ms. CALDERON: My name is Leonilda Calderón. I am 20 years old. I am a student leader and representative of the Union for Puerto Rican Students from Northeastern Illinois University in Chicago. I was born in Rio Pedras, Puerto Rico. I came to this country at the age of 9. As a young woman growing up in the inner city, I have learned to survive. Learning of my roots and culture, I have found myself in the struggle of resistance which has been going on for over 500 years.

(Ms. Calderón)

As a Puerto Rican woman, I sense a lack of respect when this body insists on talking around the problem of Puerto Rico and not presenting a real solution to the colonial situation of Puerto Rico. Since the birth of the so-called Commonwealth of Puerto Rico, nations have been deceived into believing that the political, social and military relationships between the United States and the island have been established by free choice and not by a perversion of this relationship. It is obvious to me that this body's lack of action in taking a decision on the issue of Puerto Rico proves that the United States has full economic control over member nations and thereby prohibits them from fulfilling their human rights responsibilities in giving freedom to the nation. My 20 years may not seem like much life experience, but I do not need to be any older to see the reality that my people is facing.

Why is it that it is mandatory for my brother to register for Selective Service, perhaps one day to be drafted and learn how to kill people of other nations for the benefit of the United States, but that he is forbidden to pick up a rock to defend his own nation? It was in the same context that Luis Rosa and Ricardo Jiménez, who were arrested in 1980 when they were about the same age I am now, were sentenced to over 80 years in jail with no possibility of release. These people are not criminals. I personally consider all the Puerto Rican prisoners of war and political prisoners to be the inspiration for my struggle. They are my heroes and heroines. It should not be a crime to fight for one's own justice and independence. It is only human to want to be free, to have our own culture and our own language, which I cannot even use to speak before the Committee because it has been taken away from me.

Five hundred years is a long time for our people to resist and survive. It is only obvious to me that the Puerto Ricans are a unique people with their own culture and that we, like other peoples, have the right of

(Ms. Calderón)

self-determination. I stand proud to say that even the oppressor cannot stop our resistance and we will continue our struggle for what is rightfully ours.

That is why we demand today the immediate release of all Puerto Rican political prisoners, prisoners of war, and their allies; the complete dismantling and withdrawal of all United States military bases, installations and personnel from Puerto Rican national territory; the immediate removal of all 936 multinational corporations with remuneration benefits on the island of Puerto Rico; and the complete transfer of power from the United States Congress to the people of Puerto Rico.

Viva Puerto Rico libre.

Ms. Calderón withdrew.

At the invitation of the Chairman, Mr. Roger S. Wareham (December 12th Movement) took a place at the Committee table.

The CHAIRMAN: I call on Mr. Wareham.

Mr. WAREHAM: Ny name is Roger Wareham and I am addressing this Committee on behalf of the International Secretariat of the December 12th Movement. The Committee has already heard a great deal of testimony today and yesterday, and thus we do not want to use its valuable time to repeat the given and incontestable historical facts on the subject of Puerto Rico's colonial status. In our brief statement, we would like to concentrate on the following points: first, the upholding of the Puerto Rican nation's right to self-determination and, secondly, recognition of and support for the unconditional release of all Puerto Rican political prisoners and prisoners of war currently being held in the prison facilities of the United States of America.

(Mr. Wareham)

In its resolution adopted on 15 August 1991, this Committee stated that it:

"Reaffirms the inalienable right of the people of Puerto Rico to self-determination and independence, in conformity with General Assembly resolution 1514 (XV) of 14 December 1960, and the application of the fundamental principles of that resolution with respect to Puerto Rico." (A/AC.109/1088, para. 1)

The Puerto Rican people have had their human right to self-determination continuously thwarted by the machinations of its colonizer, the United States of America. The manoeuvres have taken various forms. For example, the Commonwealth status was the sop used at one point. The periodic plebiscites which have been called have been organized, supervized and conducted in such a manner that a vote reflecting the true aspirations of the people was all but impossible. They are another expression of that strategy.

At this Committee's hearings concerning East Timor on Tuesday, 13 July, the representative of Tunisia commented at one point that, after all the previous interventions, he was glad finally to hear a presentation from someone actually from East Timor. While a dearth of presentations from the affected community is obviously not the case today, someone might ask why the black community in the United States would be interested in the colonial status of Puerto Rico. The December 12th Movement is not a Puerto Rican organization, although we have members who are from that community.

We are a human rights organization that primarily but not exclusively defends the interests of some 40 million people of African descent resident in the United States. The history of our people in this country bespeaks the historical and daily denial of the right to self-determination. From our

(Mr. Wareham)

arrival here as chattel slaves, valued at three-fifths of a human being in the United States Constitution, through the enlighted bestowal of citizenship upon us after the Civil War, to the present - where civil rights bills must be passed annually to ensure our supposed rights of citizenship - we have never had the opportunity to exercise our right to self-determination as a people.

Thus, we are very familiar with United States tactics packaged to give the appearance of democracy and change but in reality designed to maintain the colonial status quo. The struggle of the Puerto Rican people for self-determination and independence is our struggle and our struggle for self-determination and independence is theirs. Progress in one front of that struggle advances the other.

(Mr. Wareham)

In the area of political prisoners and prisoners of war, the United States once again engages in the technique of the "big lie". There are 19 men and women incarcerated in United States penal institutions because of their activities in the struggle for self-determination and independence of the Puerto Rican people. Anywhere else in the world they would be recognized for what they are - political prisoners and prisoners of war; in the United States they are designated as criminals, this despite the fact that the surveillance leading to their arrest, the arrests themselves, the type of trial held, the sentences received, the conditions of incarceration and the security they are subjected to are entirely different from those for non-political so-called criminals.

The United States cannot admit to the detention of people for political acts, for to do so would once again undercut the myth of democracy that it whips out whenever its right to rule is challenged. It must fight tooth and nail to deny Puerto Rico's colonial status, for a colony has a right to fight for its independence, and those combatants captured by the colonizer are prisoners of war who must be held under the tenets of the Geneva Conventions.

Once again, our knowledge in this area is not academic or casual; many of the Puerto Rican comrades are confined in the same institutions as the nearly 200 black, native American, Hawaiian, Asian and white political prisoners and prisoners of war whom the United States also refuses to recognize officially, by designating them as "criminals".

In conclusion, while reaffirming our support for the Puerto Rican people's right to self-determination and independence, we must express our concern about attempts by the United States to have Puerto Rico removed from its present category. The designation of Puerto Rico as a colony is a

(Mr. Wareham)

continuing embarrassment to the United States, which justifies its imperial rule of the world on the basis of its moral superiority and outstanding human-rights record. Thus, it will go to any lengths to hide the truth. Once again, our people's experience in the United States as well as our participation as a non-governmental organization in the Economic and Social Council provide us with numerous examples of how the United States employs political, economic or military coercion to achieve its aims.

We trust that the members of the Committee and those of the General Assembly will not succumb to such coercion, which subverts the very grounds on which the moral credibility of the United Nations rests.

Que viva Puerto Rico libre.

Mr. Wareham withdrew.

At the invitation of the Chairman, the Reverend Luís Barrios (St. Ann's Church of Morrisania) took a place at the Committee table.

The CHAIRMAN: I call on Reverend Barrios.

Reverend BARRIOS (interpretation from Spanish): I greet members on behalf of my homeland, Puerto Rico, and commend them for their interest in hearing about our colonial reality.

My name is Luís Barrios; I am an episcopal priest in New York and represent St. Ann's Church in the South Bronx. I am here once more to say that the people of Puerto Rico continues to experience one of the most humiliating of violations against its national dignity: that of being colonized by the most powerful empire on Earth, the United States of America. This is a dehumanizing process, which began in 1898 and which throughout its corrupt history has seen cosmetic changes aimed at protecting our colonizer's image from international public opinion.

(Reverend Barrios)

I have not the slightest doubt that it was the intention of the United States, in instigating the Spanish-American War, to further the process of expansion and annexation, which was and is in line with its imperialist policy: a policy which, needless to say, is not in line with the interests of the Puerto Rican people.

Throughout history, the United States has shown great fear and concern about international public opinion; hence, its concern with respect to the case of Puerto Rico has always been that it not be singled out as a colonizer oppressing a colony called Puerto Rico. All the political manoeuvres, which are nothing more than cosmetic embellishments, are a sign of its desperation. For instance, after their invasion of our homeland they introduced the Jones Law, the Foraker Law and law 600.

Let me stress that the plan for a so-called Commonwealth is the apogee of colonialism; to keep it alive, they invented the cult of the plebiscite, which is nothing but an exorcism to convince world opinion that Puerto Rico is not a colony. Hence the plebiscite of 1967 and that being prepared for November this year under the assimilationist puppet leaders of the New Progressive Party. Such leaders are never in short supply in colonizer-colonized relationships that psychologists would call sado-masochistic. In political language they are known as "those who would sell out their country".

Add to this the annual political lobbying to try to remove from the Committee's agenda the discussion of the colonial status of Puerto Rico. I think all members have experienced for themselves the threats and the political and economic pressure exerted by that lobby, which is trying to conceal the unconcealable: that Puerto Rico is a Territory under the colonial occupation of the United States of America. They say that the case of Puerto

(Reverend Barrios)

Rico is an internal affair, but that is a lie. That case is of interest to this Committee, and the Committee should facilitate the process of decolonization.

All members must understand that the colonial process that has always oppressed and exploited our people - politically, economically, militarily and, above all, culturally - is today undergoing changes so subtle that it sometimes seems, on the surface, that nothing is happening. But the point is what is happening just under the surface. That is the sad lot of the people of Puerto Rico. Of course, if you visit our homeland you will not see rifle-toting United States soldiers patroling our streets to force colonial status on us. That is where visitors make their mistake, coming away with the erroneous impression that we Puerto Ricans control our own homeland. That is a satanic lie.

These sophisticated forms of colonialism are to be found in the United States-controlled educational process, which teaches our people from childhood that if the United States left Puerto Rico we would die of hunger, and that other countries would invade us and take advantage of us. To back up those absurd lies, they relate all the negative experiences of countries with socio-economic systems that create extreme poverty. They use this propaganda to brainwash us. Such propaganda is effective in creating fear and as a psychological tool it can modify behaviour.

Moreover, the Central Intelligence Agency (CIA) has carried out programmes to engender dependency at all levels; these too can be seen from the perspective of behaviour modification and control. Among the repressive methods are all the paramilitary groups in our homeland, from Boy Scouts and Girl Scouts to the Puerto Rican police; these groups are used to protect the colonial system they have established.

(Reverend Barrios)

It would be a sin of ignorance to omit one of the most effective groups our United States colonizers have used to keep our country a colony. I refer, alas, to the Church or, as some call it, religion. From the earliest days of the invasion of our homeland, religious groups from the United States were very carefully chosen to serve as a tool for maintaining colonial oppression and, above all, to give that colonial oppression their blessing. That should come as no surprise; the North American nation was founded by religious groups which annihilated the true indigenous inhabitants of the country in order to build a nation based on the famous phrase "In God we trust". There are always exceptions, to be sure, but on the whole that was and remains a part of the agenda to proselytize us. Remember: in our colonial situation it is the machinery of the United States empire that decides who may enter and who may leave our homeland.

The other deception of which we must be wary, because it has played a very imporant role in portraying us Puerto Ricans as deciding what happens on the island, is the results of the colonial elections held every four years. These are nothing more than a political circus to conceal the colonial relationship with the United States of America. Common sense shows that the elections are invalid so long as the empire that keeps us colonized controls our communications media and, worse, controls the whole country. That is why the lie about plebiscites in Puerto Rico should fool no one. Those votes do not meet the basic requirement that the colonizing country, the United States of America, must transfer power to the colonized people, the people of Puerto Rico, before an election can take place. Otherwise, members know full well what the results of such elections will be. That in fact is what is happening in Puerto Rico.

(Reverend Barrios)

In the midst of this process of violence against our people, some of our brothers and sisters have responded with the commonsense notion of self-preservation in the form of self-defence. This is the case of our political prisoners and prisoners of war who are serving sentences in federal prisons for attempting to stop the process of colonization of our people. Their conduct seems highly relevant to me, and in my Judaeo-Christian convictions I share most particularly the idea that when your enemy is looking for you in order to kill you, you must get up early to kill him first. This entire process must be evaluated in the colonial context in which our people is living; otherwise one falls into errors, such as calling them criminals when in fact they are missionaries of peace seeking to put an end to colonialism and establish freedom for the Puerto Rican people.

In summary, my beloved brothers and sisters who are fighting for justice, the process I am advocating today responds to my conviction that it is necessary to re-establish the true order of God's creation, where oppression and colonialism have no place. I am here to accuse the United States of America of the shameless crime of having carried out and maintained the colonization of our Puerto Rican people. May it be seen once again that this country, which makes such a show of believing in justice, freedom and peace, does not practice what it preaches. I wish to end with the words of two martyrs who have been my mentors in the struggle for the freedom of peoples. First, Jesus Christ said,

> "The Spirit of the Lord is upon me, because he hath anointed me to preach the gospel to the poor ... to preach deliverance to the captives, and recovering of sight to the blind, to set at liberty them that are bruised." (Luke, 4:18)

(Reverend Barrios)

Secondly, Pedro Albizu Campos said, "To take our country, first they have to take our lives."

Hail free Puerto Rico. Let us destroy the colonialist devil.

Reverend Barrios withdrew.

At the invitation of the Chairman, Ms. Rita Córdova (Comité Unitario contra la Represión y por la Defensa de los Presos Políticos) took a place at the Committee table.

The CHAIRMAN: I call on Ms. Córdova.

Ms. CORDOVA (interpretation from Spanish): I am speaking on behalf of the United Committee against Repression and for the Defence of Political Prisoners (CUCRE). Over the last 13 years our organization has been dedicated to the task of denouncing and combating repression and fighting for the rights and release of Puerto Rican political prisoners and prisoners of war.

Political repression and violation of human rights in our country are part and parcel of the phenomenon of colonialism. That is to say, restrictive measures such as the diminution of our basic rights have been at the service of the economic interests and juridical-political control imposed on us throughout history by the various dominant American classes.

With regard to those relations of domination and violations of our national integrity and international law, may this Committee, first, understand the fury or malice with which the American Government tries to destroy the mechanisms generated by our people for resistance and general struggle since the first moment of the invasion; secondly, assess the reasons for the criminalisation of the struggle for independence; and, thirdly, understand all the undue pressure applied by the United States in order to

(Ms. Córdova)

perpetuate colonialism in our country, which makes a mockery of the tenets that constitute the raison d'être of such a prestigious organ as the United Nations decolonization Committee.

When we speak in Puerto Rico of the fury or malice with which the American Government has attempted to contain our people's aspirations to freedom, we speak of the militarization of civil society, ideological, economic and legal control, harassment, threats and manipulation of public opinion by controlling information in order to confuse and handle us. We speak also of murders, imprisonment, torture, massacres, entrapment and death squads.

When in our country we speak of the criminalization of the struggle for independence, we are referring not only to the illegal actions of American agencies such as the Federal Bureau of Investigation (FBI), the Central Intelligence Agency (CIA) and Naval and Army Intelligence but also of a United States federal court whose role has been that of legitimizing all the illegal actions of the intervening Power while punishing Puerto Rican patriots and sentencing them to political exile. Needless to say, all the judges of that inquisitorial court promulgate the annexation of Puerto Rico to the United States and promote the building of an enormous American federal prison in our Territory in order to facilitate and broaden the Powers of the intervening Power in our country.

We know that the criminalization of that struggle for independence meant the establishment of a police file that covered more than 125,000 Puerto Ricans, in order not only to persecute them but also to discriminate against them in terms of jobs, economic opportunities and studies, just for being pro-independence. When those records were handed over we found that a

(Ms. Córdova)

considerable number of teen-agers had been forced, through threats or trickery, to become police and FBI informants. All kinds of aberrations come to light in the study of those records. There is the case of Mr. Juan Antonio Corretjer, the national poet of Puerto Rico, prominent leader of the freedom movement and one who has testified before this Committee on several occasions. Not only was he linked with various fabricated crimes, but, to judge from the floor plans of his house, they could have killed him in his bed.

When we refer to the criminalization of our struggle, we must of course refer to the 18 compatriots who are in prisons scattered throughout the vast territory of the United States. These men and women, most of them fighters against colonialism and pro-independence activists, have been sent to the places farthest away from their families or communities or have been given the doubly cruel and illegal punishment of exile. These compatriots not only receive illegal and disproportionate sentences but are also subjected to new forms of torture and oppression intended to break them physically and emotionally. In that sense, American prisons have become a political weapon whose primary function is oriented to political deterrence by means of exemplary punishment. Those 18 men and women continue to be subjected to acts of physical and sexual aggression and to be refused medical and hospital treatment; they are isolated within the prison or denied the sacred right of attending the funerals of their relatives; in short, they are denied their basic human rights and the minimum acceptable living conditions contemplated by the international community.

(Ms. Córdova)

The United States is quite keen on demanding such conditions when it comes to other countries, but it has no hesitation or shame in trampling on Puerto Ricans. Such continues to be the case of prisoners of war Edwin Cortez, Elizán Escobar, Ricardo Jiménez, Oscar López Rivera, Adolfo Matos, Dylcia Pagán, Alberto Rodríguez, Alicia Rodríguez, Aída Luz Rodríguez, Luis Rosa, Alejandrina Torres, Carlos Alberto Torres and Carmen Valentín.

(Ms. Córdova)

Those measures against the dignity and integrity of the human person, which also violate all principles of international law, are also applied against our political prisoners, Haydee Beltrán, Antonio Camacho Negrón, Juan Segarra Palmer, Norman Ramírez Talaveras and Roberto José Maldonado.

In the matter of the undue pressure exerted by the United States aimed at perpetuating colonialism in our country, we trust that the Committee will not become an accomplice to these false consultations that they are trying to call a referendum; they deny the Committee's own principles and postulates. In Puerto Rico, as must be clear to members, the bases and prerequisites for genuinely consulting our people are lacking. In fact, as we have shown in the past, we come from a country in which the political consensus was put in place by persecuting, harrassing, imprisoning, killing or exiling those men and women who rose with indomitable will against colonialism. We come from a country that has a totally dependent and militarized economy, where American troops have been sent and today continue to infest the streets with the lame excuse of fighting crime, and where being a pro-independence activist continues to be a crime.

When we state that next century there will be no colonies on the planet, we base ourselves on our determination to wage war against the American Government whatever the consequences, to the point of laying down our lives. In the first place, it is the United States Government that will make the difference in the high price in blood and tears that both peoples will pay, for it is the one that is violating all the norms and agreements of international law in honour of keeping us in our situation of political underdogs; in the second place, the Committee will be able to make the difference, in the full and logical exercise of its functions, by bringing the

(Ms. Córdova)

Committee's decolonization agenda, which is still incomplete, to a successful conclusion.

We have come here today, from our irredentist, ready-to-fight Puerto Rico, to remind members of the Committee, in the spirit of Bolívar, Martí and Albizu Campos, that what befalls our political destiny is closely bound up with the credibility, prestige and relevance of the body they represent and that in our case what is at stake is the very respect for the sovereignty of peoples and the Committee's own statutes and principles set out in resolution 1514 (XV) and subsequent later resolutions.

Ms. Córdova withdrew.

At the Chairman's invitation, Reverend Michael Yasutake (Interfaith Prisoners of Conscience Project) took a place at the Committee table.

The CHAIRMAN: I call on Reverend Yasutake.

Reverend YASUTAKE: I am an Episcopal Church priest, and also a Japanese American, second generation, who experienced the misconduct of the United States Government during the Second World War, at which time 120,000 of us were put in United States concentration camps for the duration of the Second World War, supposedly out of military necessity. I think my own background has some relevance to the work that our organization is doing to seek amnesty for all political prisoners in the United States.

I come to you as a representative of a religiously based organization called Interfaith Prisoners of Conscience Project. It is affiliated with the National Council of the Churches of Christ in the United States of America. Our organization joins other distinguished bodies, many of which were represented here by petitioners yesterday and today. We join such organizations as the United Church of Christ denomination in the United States

(Rev. Yasutake)

and the New York City Council in calling for the release of Puerto Rican political prisoners and prisoners of war.

The Puerto Rican prisoners whom we are supporting are staunch advocates of the independence of Puerto Rico. For this, in violation of international law, these Puerto Rican women and men have been convicted as criminals, which obviously they are not, as has been pointed out by various petitioners. It is a tragic state of affairs that the Government of the United States, which professes to be a democratic nation for human rights, is the very Government that is violating the rights of these self-determination advocates.

Long years of prison sentence imposed on them are intended by the Government of the United States to intimidate the many others of similar political beliefs against being so assertive about their beliefs and associations. This kind of behaviour, of course, by a Government is a blatant violation of the freedom of belief. No nation is above international laws that uphold justice. The fact that there are United States political prisoners and prisoners of war is a sobering reminder that this nation, the United States, has raised itself above laws and justice, and this is a very dangerous state of affairs for our global family. This must change.

We therefore appeal to you, representatives at the United Nations - the closest we can come to the representative, global community of nations - to employ international moral authority and demand that the United States redress past injustices and grant amnesty to all Puerto Rican political prisoners and prisoners of war.

Reverend Yasutake withdrew.

At the Chairman's invitation, Ms. Ivedith Irizarry (Respetable Logia Femenina Julia de Burgos) took a place at the Committee table.

The CHAIRMAN: I call on Ms. Irizarry.

Ms. IRIZARRY (interpretation from Spanish): The Respetable Logia Femenina Julia de Burgos Masonic Lodge, which I represent, is petitioning the Committee once again in fulfilment of our masonic duty to defend freedom, equality and fraternity between all human beings. We are here before you to insist that you discharge the duty that you have contracted towards all the Territories that have not achieved independence; they have the inalienable right to self-determination, to respect for their territorial integrity and the right to exercise their national sovereignty.

We should like to highlight particular occurrences to do with our colonial situation in order to inform you of a number of specific demands aimed at getting down to the actual measures that will make it possible to speed up Puerto Rico's decolonization. Our colonial situation affronts and assaults men and women the world over who love peace, liberty and justice, and especially affronts and assaults the dignity of the Latin American and Caribbean peoples.

For two years now, the Committee has not issued any resolution after hearing petitioners from Puerto Rico. In 1991, it based its opinion on the steps being taken by the leaders of the local political parties towards having the United States Congress pass legislation to consult the people of Puerto Rico democratically about their political future. Those steps came to nothing.

(Ms. Irizarry)

In 1992, a resolution was not adopted either, since general elections were to be held and it was prudent to wait. On 4 July of this year, legislation was adopted to conduct a plebiscite on 14 November. That plebiscite is a misnomer, for the adopted legislation does not meet the requirements of international law. It involves a choice among three options: statehood, commonwealth status and independence. These options must be clearly defined so that the reader can be informed of their meaning.

The case of commonwealth status will have to be defined in light of the decision of the United States Court of Appeals of the Eleventh Circuit Court in the case of the United States v. Rafael Sánchez and Luis Sánchez. The decision establishes that Puerto Rico is under the jurisdiction of the United States Congress because it is a United States territory. It is Congress that has the authority to take decisions to establish all rules and regulations that are necessary concerning the territories and the property of the United States. In other words, we remain a United States colony.

We must bring to the Committee's attention a matter of great concern for the people of Puerto Rico: the proposal that has been made by the local government to offer our country as headquarters of the Southern Command of the United States Army. We urge the members of the Committee to repudiate such an attempt, because it would mean turning our homeland into the main centre of operations for command, control, communications and intelligence activities in Latin America. This offer is being made precisely at the time when the United States is dismantling military bases, whereas in Puerto Rico, the island-municipality of Vieques is waging an intensive struggle to demilitarize two thirds of its territory, which has been occupied by the United States

(Ms. Irizarry)

Navy. To allow the establishment of this command headquarters in our country would be in open violation of United Nations agreements that prohibit a colonizing nation from establishing new military installations in its colonies.

In Puerto Rico a solution to the status problem is long overdue, not because of any lack of diligence on our part but, rather, because of the inertia of those that have power to pressure the United States Congress to enact relevant legislation that can lead to self-determination. We wish to state for the Committee's consideration the measures that we feel should be taken to speed up the process of decolonization in our country:

First, to reaffirm the right of Puerto Rico to self-determination and independence, in accordance with General Assembly resolution 1514 (XV) and its full application to Puerto Rico, as affirmed in prior resolutions of the Committee related to Puerto Rico.

Second, to demand of the United States Government that it comply with the mandate contained in the 1978 resolution regarding the transfer of powers to our people and take concrete measures towards that end. The mechanism for the transfer of powers is absolutely essential in our process of decolonization and in our specific historic process.

Third, to repudiate any plebiscite or consultation mechanism for the people of Puerto Rico that does not meet the requirements of the United Nations and the international community. It is essential to point out that at the present time what is occurring is similar to what happened in 1967 when a colonialist plebiscite was held without any prior transfer of powers. It must be stated that any consultation measure planned in Puerto Rico should be conducted on terms of full political equality and on the basis of explicit and prior recognition of the sovereignty of the Puerto Rican people.

(Ms. Irizarry)

Fourth, to condemn the existing repression of the independence movement which inevitably results in political harassment and continued repression. The colonial state deprives the population of its civil and human rights. We ask for a condemnation of the recent manoeuvre by the current colonial government to activate the National Guard for police work. The militarization of our society will necessarily have serious social implications and will provoke a military response. The intervention of the National Guard has targeted poor communities, shanty towns, where they deal with citizens using military strategies without search warrants.

Fifth, to demand the immediate release of Puerto Rican patriots that are prisoners in United States jails, having received unjust, inhuman sentences, unprecedented in length, and who have not been recognized as political prisoners. We denounce the institutionalization of mental and physical torture of Puerto Rican political prisoners.

Sixth, to demand the demilitarization of Puerto Rico and the immediate withdrawal of the United States Navy from Vieques, where it controls two thirds of the land. Together with the Roosevelt Roads base, this constitutes one of the largest United States naval complexes in the world. This military use of Vieques has a dramatic and negative effect on the life of the inhabitants of that island-municipality, and especially on the fishermen who are denied access to the sea to earn a living. The civilian population is constantly affected by the noise and the vibrations that result from the bombing conducted on practice fields. Furthermore, the military use of Vieques greatly limits its economic, tourist and ecological development.

(Ms. Irizarry)

Seventh, to condemn any attempt to destroy our culture, which is basically Latin American. We denounce the imposition of the language of the colonial Power.

Eighth, to reaffirm the right of the people of Puerto Rico to the full enjoyment of its natural resources.

This year is the 500th anniversary of the discovery of Puerto Rico, or rather it means 500 years of colonialism and domination. We appeal to the members' sense of justice that they may fulfil their responsibility to promote self-determination for Puerto Rico.

Ms. Irizarry withdrew.

The CHAIRMAN: The Special Committee has just heard the last petitioner. I should like to take this opportunity, on behalf of the members of the Special Committee, to thank all the petitioners who spoke yesterday and today for the information they have furnished to the Committee. However, I must say that we regret the incident of yesterday, which may have cost some of the petitioners the opportunity to appear before the Committee. I hope that we will not witness another such incident, since the hearing of petitions is part of the sacred mandate of our Committee.

In respect of this item, I wish to draw members' attention to the recommendation of the open-ended Working Group contained in document A/AC.109/L.1795, adopted at the 1414th meeting, on 28 May 1993, by which the Committee noted that there had been an annual discussion in the Committee on the question of Puerto Rico, including a hearing of the representatives of organizations interested in the question, and the adoption of a resolution after the hearings.

(The Chairman)

As regards the postponement in 1992 of the discussions and decision on the item, it was recommended that the said postponement be extended until 1994, pending the outcome of consultations being held on issues among interested parties that could contribute to a procedural solution to the question. It also suggested that requests for hearing be given due consideration by the Special Committee on the basis of its usual practice.

In keeping with that decision, the Committee will defer consideration of the question to its 1994 session.

May I take it that the Committee agrees to this procedure?

It was so decided.

The meeting rose at 12.10 p.m.

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General Assembly

Distr.
GENERAL

A/AC.109/PV.1425
16 August 1993

ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

VERBATIM RECORD OF THE 1425TH MEETING

Held at Headquarters, New York,
on Monday, 19 July 1993, at 10 a.m.

Chairman: Mr. LOHIA (Papua New Guinea)

- Request for hearing
- Reports of the Sub-Committee on Small Territories, Petitions, Information and Assistance
- Question of Pitcairn
- Question of St. Helena
- Questions of American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands, United States Virgin Islands
- Organization of work

This record is subject to correction.

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Any corrections to the records of this meeting and of other meetings will be issued in a corrigendum.

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The meeting was called to order at 11.05 a.m.

REQUEST FOR HEARING (aide-mémoire 17/93)

The CHAIRMAN: With respect to the question of the implementation of the Declaration by the specialized agencies, members have before them a request for hearing, circulated in aide-mémoire 17/93, from Mr. Carlyle Corbin of the Working Group of Non-Independent Caribbean Countries of the Caribbean Development and Cooperation Committee.

If there is no objection, may I take it that the Committee decides to accede to that request?

It was so decided.

REPORTS OF THE SUBCOMMITTEE ON SMALL TERRITORIES, PETITIONS, INFORMATION AND ASSISTANCE (continued)

QUESTION OF PITCAIRN (A/AC.109/L.1799)

The CHAIRMAN: As the Subcommittee approved the draft decision contained in the report without a vote, may I take it that the Committee wishes to do the same?

The Committee adopted the report and approved the draft decision contained therein. (A/AC.109/1171)

QUESTION OF ST. HELENA (A/AC.109/L.1800)

Mr. BEREZOVSKY (Russian Federation) (interpretation from Russian): The draft decision in document A/AC.109/L.1800 contains the usual references to military activities of colonial Powers in Non-Self-Governing Territories. For many years such references have automatically been made, without a call for additional information and without taking account of the changes that have taken place in the world.

In its report (A/AC.109/L.1795), submitted to the Committee in May and approved by the Committee, the open-ended Working Group said that although

(Mr. Berezovsky,
Russian Federation)

significant progress had been made with regard to the language of resolutions and decisions, there was room for improvement, and that the Special Committee might wish to review the resolutions/decisions concerned so as to make those changes which might be necessary in the texts to be submitted for the consideration of the Committee at its summer session - that is, right now.

The draft decision in document A/AC.109/L.1800 has not been the subject of such a review. We feel that we ought to make the appropriate changes because, first, the provisions of these draft decisions are reflected in the Committee's draft resolutions on military activities, resulting in some repetitions; secondly, as we understand it, no real military activities are taking place in St. Helena; and, thirdly, the document we adopted at our last session, by which we are guided in our work today, shows that decisions of this kind actually complicate cooperation between the Committee and the administering Powers.

(Mr. Berezovsky,
Russian Federation)

Cooperation between the administering Power and the Committee is important. If it receives such cooperation, the Committee can fulfil its mandate while to the greatest possible degree promoting the interests of the population of the Non-Self-Governing Territory.

For this reason, the Russian delegation feels that we might easily delete the provision in the draft decision on St. Helena regarding military activities. If the Committee considers that it is not possible to do so, the Russian delegation would like its position and opinion to be duly reflected in the Committee's documents.

Mr. SLABY (Czech Republic): My delegation would like to express its dissatisfaction with obsolete language in the draft decision on St. Helena, contained in document A/AC.109/L.1800.

We fully share the position and reservations expressed by the delegation of the Russian Federation. That is why my delegation does not participate in accepting this draft decision and reserves its right to express its position during the forty-eighth session of the General Assembly.

The CHAIRMAN: If there are no further comments, since the Subcommittee approved the draft decision contained in the report without a vote, may I take it that the Committee wishes to do the same?

The Committee adopted the report (A/AC.109/L.1800) and approved the draft decision contained therein. (A/AC.109/1172)

The CHAIRMAN: The Committee adopts the report and approves the draft decision contained therein on the understanding that the reservations expressed by members of the Committee will be reflected in the records of the meeting.

QUESTIONS OF AMERICAN SAMOA, ANGUILLA, BERMUDA, BRITISH VIRGIN ISLANDS, CAYMAN ISLANDS, GUAM, MONTSERRAT, TOKELAU, TURKS AND CAICOS ISLANDS, UNITED STATES VIRGIN ISLANDS (A/AC.109/L.1796)

Mr. BEREZOVSKY (Russian Federation) (interpretation from Russian): I should like some clarification regarding document A/AC.109/L.1796, which contains the draft consolidated resolution. Are we now ready to make a decision on this subject? I ask because there seem to be some problems with regard to differing information contained in the draft resolution and the report (A/AC.109/1159) of the Pacific Regional Seminar as it relates to the question of American Samoa. I should be grateful for an explanation.

Mr. SENILOLI (Fiji): I have listened with great interest during the past week to the deliberations and the various petitions presented to the Committee. Being a new representative on the Committee, I am very interested in all the documents and everything else presented to us.

In connection with the question of American Samoa, we have taken note of the concern expressed by the representative of Sierra Leone last week. I am sure the representative of the Russian Federation is referring to the same question.

Reading the report of the Seminar held in Papua New Guinea, I had the impression that it was actually the Lieutenant-Governor who presented the case on American Samoa. To me, the Lieutenant-Governor represents the administering Power of American Samoa. We do not really know the views of the people at the grassroots level in American Samoa. What do they think about self-determination, independence and the ability to govern their own destiny rather than being ruled by another nation?

(Mr. Seniloli, Fiji)

Coming from an ex-colcny - and I am sure there are many delegations here representing countries that were once colonies - I know there is always a misconception that being the colony of a super-Power, as American Samoa is, is probably the best thing in the world to be. It is incumbent upon this Committee also to educate the people of colonies and administered Territories on the pros and cons of self-determination and the ability to govern and determine their own destiny.

(Mr. Seniloli, Fiji)

My delegation feels that the statement made by the Lieutenant-Governor of American Samoa should be taken with a pinch of salt, since we do not think it represents the views of a wide cross-section of the population of American Samoa. Perhaps we will not be able to tell until there is a referendum, and therefore I go along with the suggestion made last week that we need more time to discuss the question of American Samoa.

From what I know of Samoa, the people of the Samoan Islands do not wish to see two Samoas. They wish to see one Samoa - one united Samoa. I know this is probably not the view of American Samoa, but I know there are parts of Samoa, Fiji's next-door neighbour, that want to see one Samoa, not two. The Committee should bear that in mind as it proceeds to execute the mandate from the General Assembly regarding the eradication of colonialism from the face of the earth by the year 2000.

The CHAIRMAN: On the basis of this brief discussion, may I inform the Committee that there have been some informal consultations with the members of the Committee on how we should proceed, on the basis of the information available to us and also as a result of the recent Pacific Regional Seminar on decolonization held in Port Moresby.

In those consultations I informally contacted the administering Power to seek its reaction on an appropriate course of action based on the information we have. I floated the idea of postponing consideration of the consolidated draft resolution, especially the part on American Samoa. If that is agreed, a separate decision could be taken on American Samoa, reflecting the postponement and also requesting the territorial representatives and the administering Power to provide further information for our consideration next year.

(The Chairman)

I have not yet heard from the administering Power, but I have been advised that something may be forthcoming today. I therefore suggest that we defer consideration of this item until our next meeting, when we could take up consideration of the consolidated draft resolution now before the Committee. This will give members of the Committee time for further consultations, and in the meantime we may hear something from the administering Power.

Mr. MARTINEZ BOUE (Cuba) (interpretation from Spanish): I agree with your suggestion, Sir. May we assume that on this occasion the administering Power will be prepared to cooperate in the work of the Committee, or are we just expressing the hope that the administering Power can join in the Committee's work? I have some doubts about this. We have not yet had any response.

The CHAIRMAN: If nothing comes out of these consultations at this stage, the Committee may proceed to follow the recommendation made by the Subcommittee. However, that will also give us time to take up the matter at our session next year.

Mr. SENILOLI (Fiji): I should like to clarify my delegation's position. I was referring to the question raised by the representative of Sierra Leone as to whether we should continue discussing American Samoa. My comment has nothing to do with the non-adoption of the resolution on American Samoa. In other words, my delegation fully supports the draft consolidated resolution as it relates to American Samoa.

The CHAIRMAN: In order further to clarify the matter, I think it would be useful to look at the consolidated draft resolution as a whole, rather than deal with one piece of it now and then take up the part on

(The Chairman)

American Samoa at our next meeting. It would be much tidier to look at the draft resolution as a whole at the same meeting. That is what I propose.

Are there any difficulties with that proposal?

Mr. MWAMBULUKUTU (United Republic of Tanzania): I believe it would be much easier to adopt the argument of the representative of Fiji that the report as it stands has nothing to do with statements made last week about American Samoa. We think that it is just a question of the opinion of one man who attended the Seminar in Port Moresby and implied that American Samoa did not need the Committee. Let us not determine the course of our work as though we were pandering to the interests of the Lieutenant-Governor.

We are looking at the report of the Subcommittee, and unless there is something seriously wrong I see no problem in adopting the draft resolution as it is. If we want to follow up on the Seminar, there is another way to do it. We could do so at the next session, which would give you, Sir, enough time to consult whomever you are mandated to consult. I think that is how we should proceed.

Mr. BANGALI (Sierra Leone): I had not intended to speak again on this matter; I believe our case has been amply stated. I spoke several times last week, and the position has not changed. I do not think my colleague from Tanzania was right to say that this was one man's opinion. I believe the issue I raised was shared by more than one delegation. I went along with your summary, Mr. Chairman, and therefore did not make any additional comments. However, if there is indeed some problem with the draft resolution, I think we should look at the total draft rather than taking out American Samoa.

Once again, let me clarify one point. I specifically mentioned American Samoa because we listened to an elected representative of that Territory, the

(Mr. Bangali, Sierra Leone)

Lieutenant-Governor, who stated, as I indicated last week, that the people of American Samoa were comfortable and happy with the status quo. My question, which I repeat, was whether there was any point in continuing to consider American Samoa. I believe that it has elicited some discussion. I fully support your proposal, Sir, and think that that is the best way to proceed.

The CHAIRMAN: If our colleague from Tanzania agrees, we can have a look at the whole draft consolidated resolution at tomorrow's meeting and take a decision then. I see that he is indicating agreement.

Mr. SENILOLI (Fiji): My delegation wishes to make some points on the draft resolutions that may help us in pondering them before we continue the discussion of the issue tomorrow.

There is an absence of language about encouraging more dialogue between the administering Powers and the administered Territories. That applies to the entire draft consolidated resolution, including the various draft resolutions regarding the Territories. As the administering Powers fail to participate in this Committee and attempts to get them to participate more have been fruitless, perhaps such language should be taken into consideration in the wording of the draft resolutions in future.

There is a second matter that has a great deal to do with the non-participation of the administering Powers. Paragraph 12 of the draft consolidated resolution perhaps has the greatest bearing on the matter. It refers to getting the administering Powers to report regularly. Perhaps there are shortcomings here. It is my understanding that reports are to be made to this Committee, which will report to the Secretary-General or the General Assembly. I do not know whether this will have any effect on the administering Powers, which are turning a blind eye or deaf ears to all the draft resolutions having to do with their participation. If the adminstering Powers are not in a position to report to the Committee, perhaps there should be some provisions in the draft resolutions for reporting directly to the General Assembly, the Secretary-General or whomever, if that will help increase the participation of the administering Powers.

(Mr. Seniloli, Fiji)

The General Assembly's mandate for this Committee is to attempt to eradicate colonialism from the face of the Earth by the year 2000. In the absence of the participation of the administering Powers, my delegation does not feel that we can achieve that objective within that time-frame. If the administering Powers are not reporting to this Committee, they might report to someone they regard as being more important - the Secretary-General, the General Assembly or whomever.

The CHAIRMAN: Regarding the last point made by the representative of Fiji, I wish to refer the Committee to the Charter obligations under Article 73 e, which requires the administering authorities to report to the Secretary-General on the Territories under their administration. There are also various resolutions that refer to that. I am sure that in the course of consultations on the draft resolution members will see that there are either indirect or specific references to their concerns.

If there are no comments, I shall take it that the Committee agrees to defer further consideration of the draft consolidated resolution until our next meeting.

It was so decided.

ORGANIZATION OF WORK

The CHAIRMAN: I wish to inform the Committee that I shall be leaving for Geneva tomorrow to attend the meetings of the Economic and Social Council when it considers the item concerning implementation of the Declaration by the specialized agencies. Upon my return I shall report to the Committee on the outcome of its consideration. Since the Committee has not considered the item yet, perhaps it can take into account the results of the

(The Chairman)

Economic and Social Council consideration when formulating its draft resolution.

The meeting rose at 11.40 a.m.